

**MINUTES OF
CITY OF DUVALL
COUNCIL MEETING
January 22, 2009
7:00 P.M. - Duvall Fire Station**

Council Workshop 6:00 PM: Discussion and review of the 2008 Snow Storm Plan and Response.

The City Council Meeting was called to order by Mayor Will Ibershof at 7:00 P.M.

Council Present: Elizabeth Walker, Gérard Cattin, Vicki Edwards, Dianne Brudnicki, Gary Gill.

Staff Present: Steve Leniszewski, Glenn Merryman, Lara Thomas, Bruce Disend, Jodee Schwinn.

I. Additions or Corrections to the Agenda:

Under Consent Agenda add: Approval of Payroll in the amount of \$629,622.19, Claims in the amount of \$759,729.72; and Excusing the absence of Councilmember Glen Kuntz and Councilmember Anne Laughlin.

II. Adoption of Council Agenda:

It was moved and seconded (Brudnicki-Edwards) to adopt the 1/22/09 City Council Agenda. The Motion carried. (5 ayes).

III. Comments from the Audience:

Tove Burhen, Duvall Historical Society, announced that this week the Historical Society has released its latest publication the "Wagon Wheel Volume 3." This publication has a lot of interesting articles and includes 72 wonderful stories and many marvelous historic photos. One of the articles is a visit with the late Mrs. Margaret McCormick. The books will be available for purchase at Duvall Family Drugs and Duvall Books.

Linda Happer, 14523 – 281st Avenue NE, Duvall, stated that she and her husband did not call in during the snow storm, but they did use the City's Website during the flooding and they really appreciated the information posted there. The updates on the flooding helped them tremendously. Regarding the snow storm, she said she realizes that this area doesn't normally get 30 inches of snow, but it is possible that our region may be moving into a colder weather pattern, and she is guessing that we may start experiencing increasingly heavier snowfall in the years to come. She suggested that the City needs to look at their plan and their response in anticipation of that. She'd also like to see a number that citizens can call to request their street get plowed, as well as recorded

information letting citizens know what the snow plow schedule is for that day. She also recommended that City purchase at least two more pieces of larger equipment that are equipped to handle such snowfall events. They are willing to be taxed to pay for the snow removal equipment, and they feel many of the Duvall citizens would be in agreement.

Nancy Abdel-Wahed, 14819 – 1st Avenue NE, said that she waited to call about plowing until the Sunday after Christmas. When she contacted the person she assumed was Steve, they took her address and she was told a plow would be sent out. She said then her call was returned and the person told her that he had no record that her address existed. She is very bothered by that. In a larger catastrophic emergency, such as an earthquake, she fears that nobody would come looking for anyone at her house because no one would know that her house existed.

Sheila Acheson, owner Duvall Tavern, said she emailed a letter earlier to each of the City Councilmembers and Mayor. She would like the letter entered into the record. She announced that the Duvall Tavern is closing on February 1st. She feels her establishment has never been treated like any of the other businesses in town. Duvall is a community and a community includes all of the businesses in it. The Tavern has been cleaned up for many years and they have attempted to be a part of the community. She feels that they have been treated unfairly by the City and by the Duvall Police Department. Regarding the Main Street construction, currently, there is no walkway for pedestrians in that block, and their parking lot is also a mess. It is constantly being used as a staging area and it is not right.

Judy Neldham, 26934 NE Cherry St, owner of the Grange Café, stated she is here in support of all down town business that are so impacted by the Main Street project right now. She has spoken to a lot of people. What has bothered her most is not the heavy equipment blocking her entrance, the noise, dirt, confusion, no parking, or lack of safe sidewalks, but that the City of Duvall has offered nothing to help the businesses in this time of crisis. The message has been loud and clear that the businesses are on their own. Some businesses are losing thousands of dollars a month. Four businesses are closing, and everyone is suffering. She feels the City should participate in helping the businesses that are affected by this construction project.

IV. Approval of Consent Agenda:

It was moved and seconded (Cattin-Brudnicki) to approve the consent agenda which included Approval of Payroll Checks Numbered #7044-7049 in the amount of \$168,651.44, #7050-7068 in the amount of \$48,756.37, #7069-7097 in the amount of \$247,834.42, and #7197-7201 in the amount of \$164,379.96; Claims Checks Numbered #7098-7192 in the amount of \$235,244.20, #7203-7306 in the amount of \$503,914.27, and #7198 in the amount of \$20,571.25; Approval of the Council Meeting Minutes of 12-11-08; Excusing the absence of Councilmember Glen Kuntz and the absence of Councilmember Anne Laughlin; and approval of AB09-01 contract with Murray Smith &

Associates, AB09-02 contract with SDA, AB09-03 contract with Transpo Group, AB09-04 contract with Price & Associates, and AB09-05 contract with Sandra Meadowcroft. The Motion carried. (5 ayes).

V. Presentation: *None*

VI. Scheduled Items:
Committee Reports:

a. Land Use Committee: Councilmember Elizabeth Walker reported that the Committee met and discussed the Park Plan update. They also reviewed the letters of concern regarding that Plan. She reported the City also received the Camwest application, and it was accepted. She also reported that they have received a submittal for a plan for the North Island Annexation. Elizabeth attended a King Conservation District meeting earlier in the day and they will have two positions open on the Board this spring if anyone is interested in serving on that.

b. Public Works Committee: Councilmember Gary Gill reported that at the last meeting they briefly discussed and reviewed the Dougherty Farm and the Depot usage RFP's. Those RFP's are almost ready to be finalized. He also reported that NE 145th Street is finished and ready for striping as soon as the weather cooperates. Other items discussed were change orders for Main Street and the Second Avenue Water Main Replacement project.

c. Public Safety Committee: Councilmember Vicki Edwards told Council that at the next City Council Meeting they will be bringing forward the Ordinance for the Fire Inspection Services. It is currently being reviewed by Bruce Disend.

d. Economic Development Committee: Councilmember Dianne Brudnicki reported that they met in December and began working on who will be the coordinator for Duvall Days. They are still in the process of working through that, and they will be meeting again in the near future to continue discussions on Duvall Days.

e. Finance & Administration Committee: Councilmember Gérard Cattin reported that at the last City Council Meeting that was held in December, the 2009 Budget was passed. He emphasized that the 2009 Budget is a very, very lean budget and that the City, much like the businesses here, are in lean years. There isn't a lot planned to spend this year, and the projects that are being funded are being funded from existing funding and grants.

VII. Public Hearing: ***Continued – Riverview School District Impact Fees.***

7:28 p.m. The Public Hearing was opened.

Lara Thomas, Planning Manager, entered a letter into the record from Pacific Ridge Homes addressing the Riverview School District 2008 Capital Facilities Plan. They feel the District's Plan is overly aggressive.

Lara recommended that the Public Hearing being held this evening, also be continued to the next City Council Meeting. She recommended that the agenda item adopting the Ordinance also be moved to the next City Council Meeting to allow the School District to be in attendance.

A letter for the record was submitted by Lynn L. Eshleman of Pacific Ridge Homes. She feels the School District's Capital Facility Plan is overly aggressive and all that is in the Plan may not be necessary. The letter urged Councilmembers to vote against the Riverview School District Capital Facilities Plan and send it back to the district for revisions that reduce the proposed impact fees.

Ty Waude, 2365 – 132nd Avenue SE, Bellevue, said he will be very direct and say that he is trying to save money anywhere he can. Economically, unfortunately things will probably get worse. His first comment is regarding the student projection of the School District's Plan. He thinks it is too high and needs to be reviewed. He also feels that more information needs to be gathered on costs, and also more fine-tuning on student generation. It all comes down to a mitigation that he feels is higher than what is justified.

7:32 p.m. *The Public Hearing was continued to the next regular City Council Meeting.*

Public Hearing: City of Duvall Parks, Trails, and Open Space Plan.

7:32 p.m. The Public Hearing was opened.

Lara Thomas, Planning Manager, gave some background history on Duvall's previously adopted Park Plan from 1990, Duvall's existing parks, and Duvall's growth and anticipated growth. She reviewed the plan and explained the process that the City went through as they started the Park Plan Update, and how the plan was created and where the information was derived from. Lara also submitted into the record, Exhibits #1 through #21.

Sara Daniels, EDAW, Consultant for the City of Duvall, explained the purpose of creating the park plan and the process that they went through, the results and analysis, the final goal, and how to get to that plan or result.

Lara Thomas emphasized that this plan is a 20-year document and is a working document meant to be reviewed regularly. She recommends the document be looked at again this next year, especially because of the changes that have happened regionally. The yearly Comprehensive Plan Amendment process is in place to allow the City to go back and make changes and modifications as needed.

Duana Kolouskova, 1601 - 114th Ave SE #110, Bellevue, an attorney attending on behalf of a group of developers, handed out a follow up letter providing further comments regarding the proposed amendments to the Comprehensive Plan and the Parks, Trails and Open Space Plan. Her comments pertain to both the Parks Plan and the Comprehensive Plan and she'd like her comments submitted under both public hearings. Her concern relates mostly to the establishment of the level of service standard, and the proposed project list – both on the 20-year and on the 6-year list. In light of the recent economic conditions in the region she feels it is really important that the City take a very realistic look at what it can really do. How does the City know that the project list they are proposing can be done? Before adopting this substantial 6-year list of projects, the City needs to break down the funding capabilities of the project list and examine what the City can really do. That material needs to be in the plan. Take the time to adopt a list that is responsible and is actually capable of being accomplished.

Lynn Eshleman, 17921 Bothell-Everett Hwy. #100, Bothell, Pacific Ridge Homes, stated the proposed plan is a very aggressive plan with no solid way to fund the proposal. She believes that increasing the park mitigation fees would only add to the current problem the developer community is experiencing by adding to the cost of the homes that they are already having problems selling. She understands that the plan is a vision, but if it is adopted it becomes a document that has to be fulfilled. The responsible thing for the City to do is to not pass this plan, but to create a new plan that is both achievable and affordable.

Kyle Lublin, Pacific Ridge Homes, realizes that staff has spent a lot of time preparing this park plan. Pacific Ridge has submitted a lot of written comments regarding this park plan and the comprehensive plan amendments, and he wants to reaffirm their support of their comments and respectfully ask that Councilmembers review that material as they prepare to make a decision on these. The amendments have been changing even as recently as last Friday, and it has been hard for him and his associates to draft their questions and comments on those plans as they've been changing. He understands that plans are important and lists are important, and it is a policy document, but it would seem that the staff and the City would want to prepare a plan that really is achievable.

Tom Dedonato, 10257 NE 64th, Kirkland, member of Duvall 145th Street LLC, has an approved plat application in for a project along NE 145th Street in Duvall. He has been participating in the study of this plan. His group is concerned about the aggressive nature of the plan given the drastic changes that have recently taken place in the economy. He looked at some of the numbers and projections the City made for 2009 and 2010 as far as growth and building permits. He stated that his project is listed as one that will be completed during that time, but he said it will not be. That is 56 lots alone that can be removed from the projections. He emphasized that it is hard getting projects off the ground right now. He said he understands that there has been a lot of work done on this plan, but everyone is in such a dramatic economic crisis that it is tough time to consider something brisk. He asked that Council consider going back and taking another look at what is really necessary given what is going on today and may continue into the next few years, and go back and revisit some of the assumptions.

Bruce Knowlton, 9720 NE 120th Pl, Kirkland, Camwest Development, briefly reminded the Council that they already have a parks plan in place that is much less aggressive and the improvements proposed in that plan haven't been funded. He encouraged the Council to focus on funding those improvements before moving ahead with a much more significant level of improvements. Now is not the time to move an ambitious plan like this forward. All of the builders are crippled right now. With a plan like this, all of the builders will be called upon to pay bigger impact fees. Generating funds for park improvement in this economic environment will be a challenge. He asked the City to slow down, look at what really makes sense to build, and then figure out what can reasonably be afforded to pay for.

Michael Brooks, 600 University St., Seattle, stated he is in partnership with Camwest in the development of a substantial area of land in the City of Duvall. They had hopes to be rapidly moving through that process in the coming years and providing not only their share of the impact fee commitments required, but also the facilities that they had been asked to put into their development plans. One of the things that he would like to ask is that a good look is really needed at what the future pertains when looking at the actual system that will be funding these facilities. He also asked that Council take into consideration the facilities that his development will be providing in response to the requirements of the Planning Department, and also that those facilities will provide service to more than just the population of the project itself.

David Hoffman, 335 - 116th Ave SE, Bellevue, representing the Master Builders Association, stated the economic forecast is dismal. A turn-around is not expected for two to three years. He commented that other jurisdictions are working with them and helping them and the building industry. He would like to see a partnership like that with Duvall. He appreciates the amount of work that went into the proposed park plan, and also the amount of public involvement, but he stated the development community wasn't contacted to participate until November of 2008. He encouraged the Council to think long and hard about the proposed plan. He feels it is extremely aggressive, and believes there is not only a question of legality, but also of responsibility. He asked that the City take a look at the funding mechanisms before it adopts a plan.

Ty Waude, 2365 - 132nd Ave SE, Bellevue, stated he thinks the park plan is great, but he really hasn't been able to get his hands around it. He would probably request a little more time on it. He stated that parks and schools are important to builders and developers. You've got to have good parks and schools to help sell their product. He has two comments about the presentation: When talking about the community park acres on the ratio level of service, it should have been shown as a surplus, but it isn't. His other comment is that when he looked at the implementation, he didn't see partnerships with developers. He didn't see it addressed in the presentation or in the plan itself.

8:33 p.m. The Public Hearing was closed.

Public Hearing: 2008 City of Duvall Comprehensive Plan Amendments

8:33 p.m. The Public Hearing was opened.

Lara Thomas, Planning Manager, reviewed the Comprehensive Plan Amendments. She also requested that after hearing public testimony tonight, that the Public Hearing be held open and continued to the next City Council Meeting to be consistent with the Parks, Trails, and Open Space Plan.

Duana Kolouskova, 1601 - 114th Ave SE #110, Bellevue. The public comments that were made by Ms. Kolouskova during the earlier Public Hearing on the Parks, Trails, and Open Space Plan should also be entered into the record for this Public Hearing.

Lynn Eshleman, 17921 Bothell-Everett Hwy. #100, Bothell, Pacific Ridge Homes, said she has the same comments that she had earlier during the Parks, Trails, and Open Space Plan Public Hearing and she would like them on the record for this Public Hearing too.

David Hoffman, 335 - 116th Ave SE, Bellevue, representing the Master Builders Association, stated that the Council has the flexibility to adjust the level of service standards. Regarding that same reduction level, he'd like to add that the reduction of the forecasted new home starts be considered, as well as, looking at recalculating the population forecasts as that would also lower the high level of service in this plan.

Lara Thomas requested that the Parks, Trail, and Open Space Plan be deferred to the next Council Meeting, along with the Comprehensive Plan Amendments. She also requested the Public Hearing on the Comprehensive Plan Amendments be held open to the next City Council Meeting scheduled for February 26th.

8:41 p.m. *The Public Hearing was continued to the next regular City Council Meeting.*

Council asked questions of Lara Thomas and City Attorney, Bruce Disend. They discussed questions, legalities, and GMA compliance pertaining to the parks plan and comprehensive plan amendments.

*It was moved and seconded (Cattin-Edwards) to postpone New Business Items #2 and #3, to the next City Council Meeting scheduled for February 26, 2009.
The Motion Carried. (5 ayes).*

VIII. New Business:

1. (AB09-06) Approve Resolution #09-01 Ratifying the Declaration of Emergency for the Flood Event of January 8, 2009. *It was moved and seconded (Gill-Walker) to approve Resolution #09-01 ratifying the Declaration of Emergency for the Flood Event of January 8, 2009. The Motion Carried. (5 ayes).*

2. (AB08-70) Adopt Ordinance #1076 Implementing a School Impact Fee for the Riverview School District. *This business item was deferred to the next City Council Meeting per staff recommendation.*

3. (AB09-09) Adopt Ordinance #1077 Adopting the City of Duvall Parks, Trails, and Open Space Plan. *This business item was deferred to the next City Council Meeting per staff recommendation.*

4. (AB09-10) Adopt Ordinance #1078 Adopting the 2008 City of Duvall Comprehensive Plan Amendments. *This business item was deferred to the next City Council Meeting per staff recommendation.*

IX. Executive Session: *Labor Negotiations – 5 Minutes*

9:25 p.m. The Council Chambers were cleared for a 5-minute Executive Session on Labor Negotiations.

9:30 p.m. The Council meeting was called back to order.

X. Adjournment:
*It was moved and seconded (Walker-Edwards) to adjourn.
The Motion Carried. (5 ayes). The meeting adjourned at 9:30 p.m.*

Signed _____
Mayor Will Ibershof

Attest _____
Jodee Schwinn, City Clerk